



PATENT

Attorney Docket No. : 34433/US/3/AMP/SKS
Dorsey File No. 474930-00006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

TERNANSKY et al.

Serial No.: 10/722,843

Filing Date: November 25, 2003

For: *Peptides Which Target Tumor and
Endothelial Cells, Compositions and
Uses Thereof*

Examiner: Not Yet Assigned

Art Unit: 1646

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Mail Stop Missing Parts, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Dated: September 8, 2004

Signed: 

Luke Szymanski

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Notice to File Missing Parts of Nonprovisional Application mailed July 8, 2004.

Enclosed are the following documents:

1. Copy of Notice to File Missing Parts of Nonprovisional Application;;
2. Declaration for Patent Application (37 C.F.R. § 1.63) for Utility or Design Application Using an Application Data Sheet (37 C.F.R. § 1.76);
3. Application Data Sheet;
4. Return receipt postcard.

Serial No.: 10/722,843
Filing Date: November 25, 2003

Please charge our Deposit Account No. 50-2319 (Order No. 474930-00006
[34433/US/3/AMP/SKS]) in the amount of \$65.00 to cover the Declaration Surcharge.

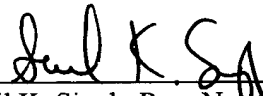
The Commissioner is authorized to charge any fees, including extension fees, which may
be required, or credit any overpayment to Deposit Account No. 50-2319 (Order No.
474930-00006 [34433/US/3/AMP/SKS]).

It is believed that submission of the above serves to satisfy all of the requirements of the
outstanding Notice to File Missing Parts of Nonprovisional Application.

If there are any questions with regard to the foregoing, please call the undersigned at
(415) 781-1989.

Respectfully submitted,
DORSEY & WHITNEY LLP

Dated: 9/7/01
Customer Number: 32940
Dorsey & Whitney LLP
Intellectual Property Department
Four Embarcadero Center, Suite 3400
San Francisco, CA 94111-4187
Telephone: (415) 781-1989
Facsimile: (415) 398-3249

BY: 
Sunil K. Singh, Reg. No. 45,298

**PATENT**

Attorney Docket No. 34433/US/4/AMP/SKS

Dorsey File No. 474930-00006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

TERNANSKY, et al.

Serial No.: 10/722,843

Filing Date: November 25, 2003

For: *Peptides Which Target Tumor and
Endothelial Cells, Compositions and Uses
Thereof*

Examiner: To Be Assigned

Art Unit: To Be Assigned

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, MAIL STOP MISSING PARTS Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on

September 8, 2004

Signed: 

Luke Szymanski

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following for the above-identified application:

1. Response to Notice to File Missing Parts of Non Provisional Application;
2. Copy of Notice to File Missing Parts of Nonprovisional Application;
3. Declaration for Patent Application (37 C.F.R. § 1.63) for Utility or Design Application Using an Application Data Sheet (37 C.F.R. § 1.76);
4. Application Data Sheet;
5. Petition to Accord a Filing Date Under 37 CFR §1.53 (e);
6. Copy of Notice to File Missing Parts of Nonprovisional Application;

Serial No.: 10/722,843
Filing Date: November 25, 2003

7. Page(s) 27-49 of the specification;
8. Copy of Return Postcard;
9. Check in the amount of \$130.00 to cover fee for Petition to Accord a Filing Date Under 37 CFR §1.53 (e);
10. Assignment Recordation Sheet (in duplicate);
11. Assignment;
12. Request for Corrected Filing Receipt;
13. Marked Up Copy of the Filing Receipt of the United States Patent Application 10/722,843;
14. Return receipt postcard.

Applicants believe that no fee is due with this communication. However, if the USPTO determines that a fee is due, the Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17, or credit overpayment to Deposit Account No. 50-2319 (Our Order No. 474930-00006 (34433/US/4/AMP/SKS)).

Please direct any calls in connection with this application to the undersigned at (415) 781-1989.

Respectfully submitted,
DORSEY & WHITNEY LLP

Dated: 9/7/04

BY: 
Sunil K. Singh, Reg. No. 45,298

Customer Number: 32940
Dorsey & Whitney LLP
Intellectual Property Department
Four Embarcadero Center, Suite 3400
San Francisco, CA 94111-4187
Telephone: (415) 781-1989
Facsimile: (415) 398-3249



THE FOLLOWING HAS BEEN RECEIVED IN THE U.S. PATENT OFFICE ON THE DATE STAMPED HEREON:--

☒ REGULAR/PROVISIONAL APPLICATION:

- 99 PPS DESCRIPTION
17 PPS CLAIMS
1 PPS ABSTRACT
☐ PROVISIONAL COVER SHEET
☐ APPLICATION DATA SHEET
☐ DRAWINGS: _____ SHEETS OF INFORMAL/FORMAL
☒ EXECUTED/UNEXECUTED DECLARATION / POA
☐ POWER OF ATTORNEY
☐ NON-PUBLICATION REQUEST
☐ RECORDATION FORM COVER SHEET
☐ ASSIGNMENT
☐ ASSERTION OF SMALL ENTITY STATUS
☐ REQUEST FOR REFUND
☐ RESPONSE/AMENDMENT

- ☐ RESPONSE TO NOTICE TO FILE MISSING PARTS
☐ NOTICE TO FILE MISSING PARTS
☐ INFORMATION DISCLOSURE STATEMENT
☐ FORM PTO/SB/08
☐ CITED REFERENCES _____
☐ SEQUENCE LISTING - HARD COPY
☐ SEQUENCE LISTING - ASCII FORMAT, DISKETTE / CD
☐ NOTICE OF APPEAL
☐ APPEAL BRIEF
☐ ISSUE FEE TRANSMITTAL
☒ TRANSMITTAL
☐ REQUEST FOR CORRECTION OF _____
☐ PETITION FOR EXTENSION OF TIME (____ MONTHS)
☒ CHECK NO. 19948 FOR \$ 914.00
☒ EXPRESS MAIL # EV 316174838 45

☐ OTHER: _____

SERIAL NO.: _____

ATTORNEY DOCKET NO.: ATTE-005/0045

MAIL DATE: NOV. 25, 2003

DUE DATE: NOV. 25, 2003

ATTORNEY/SECRETARY: SINGH / Thoorse

MAIL STOP Application

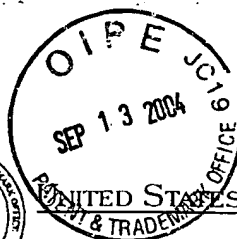
301773-2008

22387 U.S. PTO
✓ 10/722843



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IFW



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10722,843 | 11/25/2003 | Amy L. Allan | ATTE-005/00US |

CONFIRMATION NO. 8174

FORMALITIES LETTER



OC000000013171375

23419
 COOLEY GODWARD, LLP
 3000 EL CAMINO REAL
 5 PALO ALTO SQUARE
 PALO ALTO, CA 94306

Date Mailed: 07/08/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/14/2004 HDENESS1 00000047 502319 10722843 FILED UNDER 37 CFR 1.53(b)

02 FC:2051 65.00 DA

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The following item(s) appear to have been **omitted** from the application:

- Page(s) 27-49 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date

being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.


SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE